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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,265	07/19/2006	Dieter Kraft	10191/4247	1633
26646 7590 04/10/2007 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			EXAMINER ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT 3661	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	10/549,265		KRAFT ET AL.	
	Examiner		Art Unit	
	Gertrude Arthur-Jeanglaude		3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15, 16 and 19-28 is/are rejected.
- 7) ☒ Claim(s) 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/13/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-16, 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baeker et al. (EP 982194) in view of Blessing et al. (DE 19915253).

As to claims 15-16, 19-28, Baeker et al. disclose a device for performing a data and energy management in a vehicle, comprising: a superordinate control unit (load 1) including a superordinate interface (load 2) (See abstract); at least one subordinate control system including a subordinate interface; and a connecting arrangement (switching device) (See abstract) via which the superordinate control unit may be connected to the at least one subordinate control system, wherein: the superordinate control unit and the at least one subordinate control system exchange data in accordance with the subordinate interface via the connecting arrangement to achieve a communication, the exchanged data relating to at least one electrical user (See abstract), and in the case of an energy demand by the at least one subordinate control system via the connecting arrangement, purposefully at least one additional connecting arrangement is able to be deactivated and/or activated (switched on, switched off; see abstract) by at least one superordinate switching arrangement of the superordinate control unit, in order to fulfill the energy demand. Baeker et al. disclose a control unit

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wherein one would consider having a storage unit for storing the electrical loads.

Though Baeker et al. disclose a communication between the superordinate control unit and the subordinate control system, it fails to specifically disclose bidirectional communication. In an analogous art, Blessing et al. disclose an operator for car divided control system in motor vehicle, has several electronic units mutually exchanging data via communications system wherein it discloses a communications system with at least two channels for bidirectional communications and also disclose an interface connected to the communications systems (See abstract). It also discloses contact elements and voltage supply from the energy sources wherein one could use a voltage transformer to step up and down the voltage to the electronic units; it is also considered that one supply line and at least one data line (See abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Baeker et al. with that of Blessing et al. by having a two channels for bidirectional communications in the system in order to improve the safety protection even if one energy source fails.

Allowable Subject Matter

Claims 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose the superordinate control unit includes at least one superordinate current recording arrangement that detects an overall current, flowing via the at least one superordinate switching arrangement, of the at least one electrical user

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connected to the connecting arrangement, and the at least one superordinate current recording arrangement selectively deactivates the connecting arrangement if the flowing overall current exceeds a predefined boundary value. Nor does the prior art disclose the limitations of claim 18, wherein: the at least one subordinate control system includes at least one subordinate current recording arrangement that detects a current flowing via at least one subordinate switching arrangement and supplies the current to a subordinate switching circuit logic for evaluation, as a function of which the at least one subordinate switching arrangement is able to be controlled.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Huddleston et al.

(U.S. Patent No. 4,855,922)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gertrude A. Jeanglaude
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AU 3661

gaj